

House Engrossed

State of Arizona
House of Representatives
Forty-fifth Legislature
Second Regular Session
2002

CHAPTER 114

HOUSE BILL 2283

AN ACT

AMENDING TITLE 9, CHAPTER 4, ARTICLE 8, ARIZONA REVISED STATUTES, BY ADDING SECTION 9-500.22; RELATING TO MUNICIPAL PROSECUTION.

(TEXT OF BILL BEGINS ON NEXT PAGE)



1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 9, chapter 4, article 8, Arizona Revised Statutes,
3 is amended by adding section 9-500.22, to read:

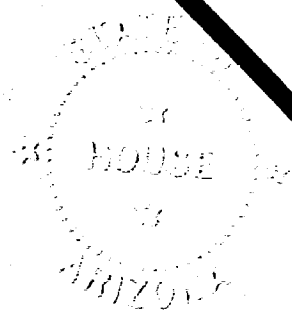
4 9-500.22. Prosecution diversion programs

5 A. THE CHIEF PROSECUTING OFFICER OF A CITY OR TOWN MAY ESTABLISH A
6 DIVERSION PROGRAM THAT PROVIDES FOR THE DISMISSAL OF A CRIMINAL COMPLAINT ON
7 SUCCESSFUL COMPLETION OF THE PROGRAM'S REQUIREMENTS. DIVERSION SHALL NOT BE
8 AVAILABLE TO PERSONS ACCUSED OF A CRIME INVOLVING THE DISCHARGE, USE OR
9 THREATENING EXHIBITION OF A DEADLY WEAPON OR DANGEROUS INSTRUMENT.

10 B. THE PROSECUTOR HAS SOLE DISCRETION TO DECIDE WHETHER TO DIVERT
11 PROSECUTION OF AN OFFENDER WHEN THE DIVERSION OCCURS BEFORE A GUILTY PLEA OR
12 TRIAL. THE DIVERSION PROGRAM MAY BE STRUCTURED TO REQUIRE A GUILTY PLEA
13 BEFORE ENTRY INTO THE PROGRAM.

APPROVED BY THE GOVERNOR MAY 1, 2002.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 1, 2002.



Passed the House April 4, 2002,

by the following vote: 49 Ayes,

5 Nays, 6 Not Voting

[Signature]
Speaker of the House

[Signature]
Chief Clerk of the House

Passed the Senate April 25, 2002,

by the following vote: 28 Ayes,

0 Nays, 2 Not Voting

[Signature]
President of the Senate

[Signature]
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

29 day of April, 2002,

at 3:23 o'clock P. M.

[Signature]
Secretary to the Governor

Approved this 1 day of

May, 2002,

at 12:31 o'clock P. M.

[Signature]
Governor of Arizona

H.B. 2283

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 1 day of May, 2002,

at 2:37 o'clock P. M.

[Signature]
Secretary of State